

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Lester C. Sanders

Docket No. 5:13-CR-154-1BO

Petition for Action on Supervised Release

COMES NOW Michael C. Brittain, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Lester C. Sanders, who, upon an earlier plea of guilty to Conspiracy to Possess with Intent to Distribute 24.72 Kilograms of Marijuana in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(D), was sentenced by the Honorable Hayden Head, Senior U.S. District Judge for the Southern District of Texas, on September 14, 2011, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate in a program, inpatient, or outpatient, for the treatment of drug and/or alcohol addiction, dependency, or alcohol which may include, but not be limited to urine, breath, saliva, and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer. The defendant shall further submit to such drug-detection techniques, in addition to those performed by the treatment agency, as directed by the probation officer. The defendant will incur costs associated with such drug/alcohol detection and treatment, based on ability to pay as determined by the probation officer.
2. Throughout the period of supervised release, the defendant shall be restricted to his home each night from 10 p.m. to 6 a.m., unless other specific arrangements are made with the probation officer.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. The defendant shall pay a special assessment in the amount of \$100. (Paid)

Lester C. Sanders was released from custody on January 22, 2013, at which time the term of supervised release commenced. Jurisdiction was transferred from the Southern District of Texas to the Eastern District of North Carolina on May 23, 2013. A violation report was filed on June 17, 2013, notifying the court of positive drug screen for cocaine use that occurred on or about June 5, 2013. The frequency of testing in the Surprise Urinalysis Program was increased at that time and the releasee continued on supervision.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

Mr. Sanders tested positive for cocaine in a urinalysis sample that was collected on August 8, 2013. The test results were confirmed positive by the lab on August 14, 2013. Sanders was confronted with the results of the test on August 20, 2013. When confronted with the results of the test, Sanders admitted his cocaine use. He has been referred to outpatient substance abuse treatment and notified that he would be required to serve the 2-day sanction of the DROPS Program immediately. He will also be referred to the HOPE Program for possible inclusion in the future. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: August 20, 2013

ORDER OF COURT

Considered and ordered this 22 day of August, 2013, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge